

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

JENELLE RENEE McCRAY,

Plaintiff,

vs.

TANNER SINGH,

Defendant.

CV 18-68-H-DLC-JTJ

**FINDINGS AND
RECOMMENDATIONS**

Plaintiff Jenelle McCray (McCray) filed this action pro se on June 7, 2018. (Doc. 2). McCray did not serve the Defendant Tanner Singh (Singh) with process within the 90-day time period described in Rule 4 of the Federal Rules of Civil Procedure.

The Court issued an Order on December 19, 2019, giving McCray an additional 6 weeks to serve Singh with process. (Doc. 5). The Court directed McCray to serve Singh with process on or before January 31, 2020. (Doc. 5 at 1). The Court informed McCray that this action may be dismissed without prejudice if she failed to serve Singh with process on or before January 31, 2020. (Doc. 5 at 1-2).

The record reflects that McCray has not served Singh with process.

Accordingly, IT IS HEREBY RECOMMENDED:

1. This case should be dismissed without prejudice for failure to serve the Defendant with process.
2. The Clerk of Court should be directed to enter judgment accordingly.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO OBJECT**

The parties may serve and file written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. § 636(b)(1). A district court judge will make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made. The district court judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the district court judge.

DATED this 21st day of February, 2020.


John Johnston
United States Magistrate Judge